

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

RFR HOLDING LLC and )  
CENTURY 21 CHICAGO, LLC, )  
Plaintiffs, ) No. 08 CV 1555  
v. ) Judge Andersen  
PONTE GADEA FLORIDA, INC. and ) Magistrate Judge Cole  
CHICAGO MICHIGAN, LLC, )  
Defendants. )

**NOTICE OF MOTION**

TO: Mark Walfish  
KATSKY KORINS LLP  
605 Third Avenue  
New York, New York 10158-0038

Lazar P. Raynal  
Jocelyn D. Francoeur  
McDERMOTT WILL & EMERY LLP  
227 West Monroe Street  
Chicago, Illinois 60606

PLEASE TAKE NOTICE that, on Thursday, July 31, 2008, at 9:00 a.m. or as soon thereafter as counsel may be heard, we shall appear before the Honorable Wayne R. Andersen or any other judge sitting in his stead, in Room 1403 of the Dirksen Federal Building, 219 South Dearborn Street, Chicago, Illinois, and shall present the attached **DEFENDANTS' 12(b)(6) MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT and MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS' 12(b)(6) MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT**, a copy of which has been previously served upon you.

Dated: July 21, 2008

PONTE GADEA FLORIDA, INC. and  
CHICAGO MICHIGAN, LLC

By: /s/ Rita M. Alliss Powers  
One of Their Attorneys

Rita M. Alliss Powers, Esq.  
Howard K. Jeruchimowitz, Esq.  
GREENBERG TRAURIG, LLP  
77 West Wacker Drive, Suite 2500  
Chicago, Illinois 60601  
(312) 456-8400

**CERTIFICATE OF SERVICE**

I hereby certify that on July 21, 2008, I electronically filed the foregoing  
***DEFENDANTS' 12(b)(6) MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT***  
***and MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS' 12(b)(6) MOTION TO***  
***DISMISS PLAINTIFFS' AMENDED COMPLAINT*** with the Clerk of the Court using the  
CM/ECF system which will send notification of such filing to all registered parties.

/s/ Rita M. Alliss Powers

CHI 57,148,514 v3